

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JACOB ROBINSON, SR.,

Plaintiff,

v.

Civil Action No. 5:05CV18
(STAMP)

WILLIE S. McDUFFIE and
BUTLER TRANSPORT, INC.,
a corporation,

Defendants.

ORDER VACATING PRETRIAL CONFERENCE AND MEDIATION

On November 6, 2007, this Court received a letter from Rebecca D. Pomeroy of McNeer, Highland, McMunn and Varner, L.C., counsel for the defendants in the above-styled civil action, indicating that the parties in this civil action have reached an agreement to resolve this case in its entirety.¹ This Court has been unable to speak with plaintiff's counsel to confirm the settlement of this civil action. However, based on the representations contained in this letter, it is ORDERED that the pretrial conference and mediation scheduled in this civil action are hereby VACATED.

The trial of this civil action will remain on the Court's calendar pending receipt of the dismissal order in this case.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

¹A copy of Ms. Pomeroy's letter is attached to and made a part of this order.

DATED: November 8, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE

MCNEER, HIGHLAND, MCMUNN AND VARNER, L.C.

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November 6, 2007

VIA FACSIMILE ONLY (304) 233-0402

Honorable Frederick P. Stamp, Jr.
 United States District Court
 Northern District of West Virginia
 1125 Chapline Street
 P. O. Box 471
 Wheeling, WV 26003

Re: **Jacob M. Robinson, Sr.**
v. Willie S. McDuffie, et al.
U.S.D.C., N.D.W.Va. - Wheeling District
Civil Action No. 5:05-CV-18

Dear Judge Stamp:

This letter comes to advise the Court that the parties have reached an agreement to resolve this case in its entirety. We are in the process of circulating a settlement agreement and proposed dismissal order. The proposed dismissal order will be submitted to the Court in the very near future for approval and entry. In light of the settlement, we no longer require a pre-trial conference.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Rebecca D. Pomeroy
 Rebecca D. Pomeroy

RDP:mj

cc: Ronald W. Zavolta, Esquire (Via Facsimile (304) 233-2089)
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